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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1133)

IN THE APPLICATION OF:

Fijolek et al

Serial No. 09/722,980

Filed: November 27, 2000

Title System And Method For Automatic Load  
Balancing In A Data-Over-Cable Network

Examiner: Unknown

Group Art Unit: 2152

Confirmation No.: 5903

TRANSMITTAL LETTER

BOX Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Response to Notice to File Missing Parts;
  - b. Executed Declaration and Power of Attorney;
  - c. Copy of Notice to File Missing Parts;
  - d. Request for Corrected Filing Receipt;
  - e. Filing Receipt; and
  - f. Postcard.
2. With respect to additional fees:
  - a.   X   Attached is a check in the amount of \$130.00 for the Response to Notice to File Missing Parts.
  - b.        Charge the total additional fee to our Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on this 25th day of May, 2001.

By

Monika Dudek

Monika Dudek  
Reg. No. 47,538



CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date below:

05/25/01

Date \_\_\_\_\_ Signature \_\_\_\_\_

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1133)

In re Application of:	)	
Fijolek et al	)	Group Art Unit: 2152
	)	
Serial No.: 09/722,980	)	Examiner: Unknown
	)	
Filed: November 27, 2000	)	Confirmation No.: 5903
	)	
For: System And Method For Automatic Load	)	
Balancing In A Data-Over-Cable Network	)	

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

A corrected filing receipt is hereby requested to correct the zip code 60006 to read as "60606". A copy of the filing receipt is enclosed with the correction marked in red ink.

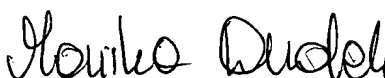
Because the error is not due to any error by Applicants, no fee is believed to be due in connection with the filing of this document. However, should any fee under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Assistant

Commissioner is hereby authorized to deduct or credit said fees from or to McDonnell  
Boehnen Hulbert & Berghoff, Account No. 13-2490.

Please date, stamp and return the enclosed postcard evidencing receipt of these  
documents.

Respectfully submitted,

Date: May 25, 2001



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Monika Dudek  
Reg. No. 47,538



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20221  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/722,980	11/27/2000	2152	944	00-1133	23	33	2

CONFIRMATION NO. 5903

020306

MCDONNELL BOEHNEN HULBERT & BERGHOFF  
300 SOUTH WACKER DRIVE  
SUITE 3200  
CHICAGO, IL ~~60606~~ 60606

## FILING RECEIPT



\*OC000000005907336\*

Date Mailed: 03/27/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

John G. Fijolek, Naperville, IL;  
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Vikram Swamy, Chicago, IL;  
Shahidur Khan, Schaumburg, IL;

DOCKETED

APR 02 2001

DUE DATE: Foreign Filing 01 - 11/27/01  
BY: K.B. [Signature]

## Continuing Data as Claimed by Applicant

## Foreign Applications

If Required, Foreign Filing License Granted 03/26/2001

Projected Publication Date:

Non-Publication Request: No

Early Publication Request: No

## Title

System and method for automatic load balancing in a data-over-cable network



If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to McDonnell Boehnen Hulbert & Berghoff, Account No. 13-2490.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: May 25, 2001

By:

Monika Dudek

**Monika Dudek**  
**Registration No. 47,538**



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/722,980	11/27/2000	John G. Fijolek	00-1133

020306  
MCDONNELL BOEHNEN HULBERT & BERGHOFF  
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SUITE 3200  
CHICAGO, IL 60006

CONFIRMATION NO. 5903

## FORMALITIES LETTER



\*OC000000005907337\*

Date Mailed: 03/27/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice MUST be returned with the reply.*

H.T

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/05/2001 HBERHE 00000045 09722980

01 FC:105

130.00 DP